

November 3, 2021

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 3, 2021, 10:00 a.m. Present were Commissioners Fedorchak, Christmann and Kroshus.

Minutes

Ms. Fedorchak: I move the minutes of October 20, 21, and November 1, 2021, be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-20-82
OE2 North LLC
B. Sanderson Gas Processing Plant -
Williams Cnty.
Siting Application

Ms. Fedorchak: I move the Commission acknowledge the withdrawal of the application to amend the certificate of site compatibility and the findings of fact, conclusions of law, and order filed on September 17, 2021, in OE2 North LLC, B. Sanderson Gas Processing Plant - Williams Cnty., Siting Application, Case No. PU-20-82.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-325
Great River Energy / Rainbow Energy
Center, LLC
Transfer Certificate #1 and Permit #3
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee final refund in the amount of \$9,945.06 in Great River Energy / Rainbow Energy Center, LLC, Transfer Certificate #1 and Permit #3, Siting Application, Case No. PU-21-325.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-326
Great River Energy / Nexus Line, LLC
Transfer Certificate #2 and Permit #1
Siting Application

Ms. Fedorchak: I move the Commission issue a siting application fee final refund in the amount of \$9,492.23 in Great River Energy / Nexus Line, LLC, Transfer Certificate #2 and Permit #1, Siting Application, Case No. PU-21-326.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

2021 Coal Regulatory and AML
Programs Evaluation Reports

See Page 2

Blaster Re-Certification
Approval

Ms. Fedorchak: I move the Commission approve blaster re-certification for the following applicants:

Applicant	Affiliation	Certificate No.
William Keller	Freedom Mine	10-02-328-R(4)
Kenton Richau	Freedom Mine	16-01-381-R(2)
Roland Sabot	Freedom Mine	16-01-382-R(2)
Kyle Haraseth	Freedom Mine	16-01-378-R(2)
Larry Miller	Freedom Mine	18-11-415-R(1)
Michael Swallers	Freedom Mine	18-11-417-R(1)

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-406
Caliber North Dakota LLC
8-inch Residue Gas Line – McKenzie
County
Siting Temporary Approval

Ms. Fedorchak: I move the Commission adopt the Order granting temporary operation of facilities in Caliber North Dakota LLC, 8-inch Residue Gas Line – McKenzie County, Siting Temporary Approval, Case No. PU-21-406.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-21-419
Westmoreland Beulah Mining LLC
Notice of Violation No. 2101
Violation

Mr. Christmann: I move the Commission adopt Notice of Violation No. 2101 Order issued to Westmoreland Beulah Mining LLC at the Beulah Mine, to affirm the violation, assess a civil penalty, and close the case upon payment of the penalty, in Westmoreland Beulah Mining LLC, Notice of Violation No. 2101, Violation, PSC Case No. RC-21-419.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

2021 Coal Regulatory and AML
Programs Evaluation Reports

Mr. Christmann: I move the Commission accept the federal Office of Surface Mining's 2021 Evaluation Reports for the Coal Regulatory and Abandoned Mine Lands Programs.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-377
Public Service Commission
BEK Consulting LLC
Damage Prevention Enforcement

Held Over

Case No. PU-21-416
Otter Tail Power Company
Meter Testing Rule Waiver
Approval

Mr. Kroshus: I move the Commission issue a Notice of Opportunity for Hearing in Otter Tail Power Company, Meter Testing Rule Waiver, Approval, Case No. PU-21-416.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-21-373
Montana-Dakota Utilities Co.
Financial Incentive - Power Purchase
Agreement
Rates

Ms. Fedorchak: I move the Commission appoint Brian Johnson, Adam Renfandt and Victor Schock as advocacy staff effective October 18, 2021, in Montana-Dakota Utilities Co., Financial Incentive - Power Purchase Agreement, Rates, Case No. PU-21-373.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-21-410
Public Service Commission
Glass Auction Service, LLC
Auction Complaint

Ms. Fedorchak: I move the Commission appoint John Schuh and Konrad Crockford as advocacy staff effective September 7, 2021, in Public Service Commission, Glass Auction Service, LLC, Auction Complaint, Case No. AU-21-410.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-21-411
Public Service Commission
Chad Stoltz
Auction Complaint

Ms. Fedorchak: I move the Commission appoint John Schuh and Konrad Crockford as advocacy staff effective September 7, 2021, in Public Service Commission, Chad Stoltz, Auction Complaint, Case No. AU-21-411.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:12 A.M.



Executive Secretary



JULIE FEDORCHAK, CHAIR